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Attorneys for Plaintiff
NEO4J, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

NEO4J, INC., a Delaware corporation,
Plaintiff,

v.

GRAPH FOUNDATION, INC., an Ohio
corporation,
Defendant.

CASE NO. 5:19-cv-06226-EJD

**[PROPOSED] ORDER GRANTING
PLAINTIFF'S MOTION TO COMPEL
FURTHER RESPONSES AND
PRODUCTION TO REQUEST FOR
PRODUCTION, SET 1**

Action Filed: October 1, 2019
Trial Date: None

Now before the Court is the Parties' Joint Statement Regarding Discovery Deficiencies in Responses to Plaintiff's Requests for Production Set 1 ("Joint Statement"). Having considered the Joint Statement, the materials filed in support thereof, oral arguments, and good cause appearing therefor:

IT IS HEREBY ORDERED that:

Defendant Graph Foundation, Inc. ("GFI") shall

1. Conduct a diligent search for and reasonable inquiry to locate and produce documents

1 in custodial sources within GFI's possession, custody, or control, including responsive
2 emails held by its officers, directors, or agents (such as Ben and Brad Nussbaum and
3 John Mark Suhy from these their AtomRain, GraphGrid, and any other personal email
4 accounts).

- 5 2. Provide a declaration by GFI's Chief Executive Officer, Brad Nussbaum (as the
6 custodian of GFI's documents): (a) detailing what steps were taken to locate sources
7 of potentially responsive documents; (2) what search terms and date parameters were
8 used to search for responsive documents in those sources; (3) stating that the email
9 accounts within its control have been searched and responsive documents produced,
10 including the AtomRain, GraphGrid, and other personal email accounts used by GFI's
11 agents Ben and Brad Nussbaum and John Mark Suhy.
- 12 3. Supplement its responses to RFP Nos. 3-6, 14, 16, 17, 21-23, 25, 29-32, 34-37, 43-58
13 confirming that GFI has conducted a diligent search and reasonable inquiry, and
14 whether or not any documents will be produced.

15 **SO ORDERED.**

16 Dated: _____, 2020

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18 Judge Susan van Keulen
19 U.S. Magistrate Judge
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